

DETAILED ACTION

The amendment filed on July 21, 2008 is acknowledged. Claims 1 – 4 are pending in this application. The Examiner recognizes that claims 1 – 4, as amended, overcome the U.S.C. 112, second paragraph rejection documented in the Office Action dated February 20, 2008.

Claim Rejections - 35 USC § 102

1. **Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Terada et al. (USP 5,743,145).** Terada et al. discloses (Fig. 1) all of the limitations of a similar device comprising: transmission housing (10) that has walls that include at least two passage orifices; at least two bevel wheels (12 and 14) which project into said at least two passage orifices of said transmission housing and engage with their toothings one in the other inside the transmission housing; a shaft (16a) positioned on at least one of said at least two bevel wheels which is mounted rotatably in a bearing (18d) of a bearing housing (18a) and which projects out of the transmission housing through a passage orifice of said at least two passage orifices, wherein the bearing housing is fastened (via internal threads orifice) to the transmission housing; and a fastening part, or flanged ring (18c) separate from the bearing housing having an internal thread, to which an external thread of the bearing housing is screwed, wherein the relative angular position between the fastening part, or flanged ring and the bearing housing is adjustably fixed (via internal thread of orifice), and, in the mounted state, the bearing housing projects with a cylindrical extension into

Art Unit: 3656

the passage orifice of the transmission housing, said passage orifice being designed as a guide; the bearing housing is fastened to the an outer face of the transmission housing (via flanged ring 18c).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Terada et al. in view of Swinley (USP 5,678,949).** Terada et al. discloses all of the limitations set forth in claim 2, but fails to disclose a screw screwed into a radial threaded hole of the flanged ring for fixing the angular position between the flanged ring and the beating housing.

Swinley (see Fig. 1) teaches the use of a screw (21) screwed into a radial threaded hole (6) of a flanged ring (19) for the purpose of providing a simple to lock a component against rotation about an axis (C1, L50 - 53).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have a screw screwed into a radial threaded hole of the flanged ring, as taught by Swinley, in the device of Terada et al. for the purpose of providing a simple to lock a component against rotation about an axis.

Response to Arguments

Applicant's arguments with respect to claims 1 – 4 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHILLIP JOHNSON whose telephone number is (571)270-5216. The examiner can normally be reached on MON - FRI, 7:30 AM - 5:00 PM.

Art Unit: 3656

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Phillip Johnson/
Examiner, Art Unit 3656

/Richard WL Ridley/
Supervisory Patent Examiner, Art Unit 3656